

Paper No. 953.
Disposes of
Paper No. 951 and
Paper No. 722.

INTERNATIONAL MILITARY TRIBUNAL FOR THE FAR EAST
SITTING AT TOKYO, JAPAN

Case No. 1

THE UNITED STATES OF AMERICA, et al)	ORDER
- vs -)	FOR THE ISSUANCE OF
ARAKI, Sadao, et al)	A SUBPOENA FOR A
)	WITNESS REQUESTED
)	BY ACCUSED KIMURA.

This matter coming on to be heard this 14th day of May 1947, before The Honorable Sir William Webb, President of the Tribunal, upon the supplemental application of KIMURA, Heitaro, one of the defendants herein, for the issuance of a subpoena for Lieut. General TANAKA, Nobuo, the application being Paper No. 951 and supplemental to the original application of the defendant KIMURA, Heitaro for the production of a witness necessary to his defense, in accordance with the provisions of Section III, Article 9(e) of the Charter, which original application is Paper No. 722 and upon the hearing of which the Tribunal issued an order (Paper No. 727) that facilities and assistance be provided to counsel for the accused KIMURA to interrogate the said witness, Lieut. General TANAKA, and that the application of the accused for the issuance of a subpoena be indefinitely continued awaiting results and disclosures of the interrogations authorized and ordered, and granted permission to file a supplemental application for the issuance of a sub-

poena for said witness should it be found necessary to the proper defense of the accused as a result of said interrogations, and after hearing the statements and arguments of counsel for said KIMURA, Heitaro, and being fully advised in the premises, it is

ORDERED: That said supplemental application as to the following named person is granted as prayed:

LIEUT. GENERAL TANAKA, Nobuo

- (a) The Nationality of the witness is Japanese;
- (b) The witness is in Rangoon in custody of the British Army;

and that a summons be issued by the Secretary General of the Tribunal commanding said witness, Lieut. General TANAKA, Nobuo, to attend forthwith and testify before said Tribunal as a witness on behalf of the accused KIMURA, Heitaro.

Dated at Tokyo, Japan, this 14th day of May 1947.

BY THE TRIBUNAL:

(signed)

W. F. Webb
PRESIDENT